

**REMARKS**

Claims 1-3, 8-27 and 29 are pending in this application. By this Amendment, claim 1 is amended for clarity, new claim 29 is added and claim 28 is canceled without prejudice or disclaimer in order to expedite the prosecution of this application.

The Office Action appears to have withdrawn claim 28 from consideration as being directed toward a different invention. Applicants respectfully disagree. However, in order to expedite the prosecution of this application, claim 28 is cancelled. New independent claim 29 is a method claim directed to controlling a signal path, which is similar to the claimed invention mentioned in the Office Action.

The Office Action rejects claims 1, 3 and 8-20 under 35 U.S.C. §102(b) over U.S. Patent 5,406,401 to Kremer. The Office Action also rejects claims 2 and 21-27 under 35 U.S.C. §103(a) over Kremer. These rejections are respectfully traversed.

Independent claim 1 recites that the second service signal path includes an add-drop & through path and supports a through path, an east-west add-drop & through path, and a west-east add-drop & through path. Independent claim 1 recites the east-west add-drop & through path is configured to drop a path signal received from the east to a subscriber service processing unit, to add the path signal received from the subscriber service processing unit to the west, and to pass the path signal received from the west through the east. Independent claim 1 also recites the west-east add-drop & through path is configured to drop the path signal received from the west to the subscriber service processing unit, to add the path signal received from the

Reply to Office Action dated September 20, 2005

subscriber service processing unit to the east, and to pass the path signal received from the east through the west.

Applicants respectfully point out that the present specification describes bidirectional add-drop & through paths (such as an east-west add-drop & through path and a west-east add-drop & through path). When an optical signal or path signal has a fail, the system may carry out path protection using the bidirectional add-drop & through paths. See pages 8-9 of the present specification. FIGs. 4A and 4B of the present application show add-drop & through paths that differ from the through path or the add-drop path shown in FIGs. 3A and 3B. Thus, a plurality of signal paths may be configured as a through path, an add-drop path, a ring path, and an add-drop & through path.

Kremer does not teach and/or suggest the particular features of applicant's claim 1. At best, Kremer may suggest to pass, to add, to drop or to bridge a signal "individually" or in a separate manner for an add-drop multiplexer (ADM). See Kremer's col. 3, lines 21-34. Kremer however does not teach or suggest handling a combined signal path such as an add-drop & through path that allows a same signal (such as the claimed path signal) to be added, dropped and passed at the same time. For example, independent claim 1 recites that the east-west add-drop & through path is configured to drop a path signal received from the east to a subscriber service processing unit, to add the path signal received from the subscriber service processing unit to the west, and to pass the path signal received from the west through the east. Thus, independent claim 1 is clear regarding that a same path signal may be added, dropped and passed

Reply to Office Action dated September 20, 2005

through. Kremer does not teach or suggest at least these features. At best, Kremer may suggest to pass, add or drop a signal individually.

Further, independent claim 1 recites that the west-east add-drop & through path is configured to drop the path signal received from the west to the subscriber service processing unit, to add the path signal received from the subscriber service processing unit to the east, and to pass the path signal received from the east through the west. For similar reasons as set forth above, Kremer does not teach or suggest these features.

Applicant's features improve upon the related art (as explained in applicant's background of the invention section) of which Kremer generally pertains. Namely, Kremer's broad, general suggestions are merely an example of the related art that applicant has enhanced. Kremer does not teach or suggest how to specifically handle a "combined" signal path. Kremer does not teach or suggest applicant's claimed east-west add-drop & through path and west-east add-drop & through path as recited in independent claim 1. Thus, independent claim 1 defines patentable subject matter.

Still further, independent claim 29 is a method claim that recites using a subscriber service processing unit to add, to drop, to pass through, as well as to add, drop, and pass through the optical signals via the optical signal transceiving unit using the at least one of the configured signal paths selected by the path signal controller. Independent claim 39 also recites that for the configured add-drop & through path, the method includes allowing the optical signal to be dropped to the subscriber service processing unit, allowing the optical signal received from the

Reply to Office Action dated September 20, 2005

subscriber service processing unit to be added, and allowing the optical signal received from the subscriber service processing unit to be passed through.

Kremer does not suggest these specifically recited features of method claim 29. More specifically, Kremer does not suggest for the configured add-drop & through path, the method includes allowing the optical signal to be dropped to the subscriber service processing unit, allowing the optical signal received from the subscriber service processing unit to be added, and allowing the optical signal received from the subscriber service processing unit to be passed through. As stated above, Kremer does not specifically suggest handling a combined signal path, but rather may merely suggest handling signals individually. Accordingly, independent claim 29 defines patentable subject matter.

For at least the reasons set forth above, each of independent claims 1 and 29 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, each of the dependent claims recites features that further and independently distinguish over the applied references.

### **CONCLUSION**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-3, 8-27 and 29 are earnestly solicited. If the Examiner believes that any additional changes would place the

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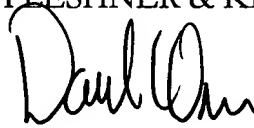
Docket No. P-0173

Reply to Office Action dated September 20, 2005

application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **David C. Oren**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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